

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LEO L. DURAN,

Plaintiff,

v.

No. 09-cv-0758 BB/SMV

**CURRY CNTY. ADULT DET. CTR.,
PRESBYTERIAN HOSP.,
FNU BEAN, LESLIE DONALDSON,
JANICE DAVIS, TAMARA CURTIS,
FNU KAMERMAN, TERI LESLIE, and
BD. OF CNTY. COMM'RS OF CURRY CNTY.,**

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION TO EXCEED PAGE LIMITS AND
DENYING PLAINTIFF'S MOTION TO COMPEL**

THIS MATTER is before the Court on Plaintiff's Motion to Compel Discovery [Doc. 164] and on his Motion for Leave to Exceed Page Limits [Doc. 165]. First, Plaintiff seeks leave to submit 47 pages beyond the 50-page exhibit limit in support of his Motion to Compel. [Doc. 165] at 1–2. Second, Plaintiff moves the Court to compel certain discovery from Defendant Donaldson. [Doc. 164].

A party served with objections to discovery must file a motion to compel within 21 days after service of the objections, and failure to do so constitutes acceptance of the objections. D.N.M.LR-Civ. 26.6. Defendant Donaldson served his Responses to Plaintiff's Second Set of Interrogatories and Requests for Production of documents on September 12, 2011, Certificate of Service . . . [Doc. 104], and his Responses to Plaintiff's Request for Admissions on March 20, 2012, Certificate of Service [Doc. 148]. Plaintiff filed his Motion to Compel on June 28, 2012,

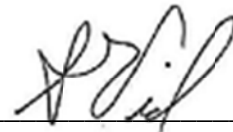
[Doc. 164], well past the 21-day time period allowed by the Local Rules. The Court finds, therefore, that the motion is not well-taken and should be denied.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Motion for Leave to Exceed Page Limits [Doc. 165] is hereby **GRANTED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion to Compel [Doc. 164] is hereby **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's request for sanctions, [Doc. 164] at 2, is **DENIED** as well.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge